

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO. 987 OF 2004

WITH

C.A. NO. 1341 OF 2003

GANPAT RAGHUNATH SHINDE & Anr. .. APPELLANTS

VERSUS

SUBHADRA KALURAM MADANE & Ors. ... RESPONDENTS

Mr. A.A.Kumbhakoni, Advocate, for the appellants.

Mr. V.Y.Jadhav, Advocate, for Respondents Nos. 2B to 2D.

CORAM: J.H.BHATIA, J.

DATE : 18th September, 2007.

P.C.

1. With consent of the learned Counsel for the parties, the Second Appeal is allowed. The judgment and decree passed in Regular Civil Appeal No.572 of 1995 by II Additional District Judge, Satara, is hereby set aside and the judgment and decree dated 18.9.1995 passed in Regular Civil Suit No.182 of 1990 by the Joint Civil Judge, Junior Division, Wai, is hereby restored. The Appeal is disposed of. The parties shall bear their own costs in this Appeal.

2. As the Appeal itself is disposed of, the Civil Application No.1341 of 2003 does not survive and stands disposed of accordingly.

(J.H.BHATIA, J.)